

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Darriel E. Rogers,)	C/A No.: 1:17-1430-BHH-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Nancy A. Berryhill, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

Defendant Nancy A. Berryhill, Acting Commissioner of the Social Security Administration (“Commissioner”), by her attorneys, Beth Drake, United States Attorney, and Marshall Prince, Assistant United States Attorney for the District of South Carolina, has moved this court pursuant to 42 U.S.C. § 405(g) to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. [ECF No. 19]. The movant represents that Plaintiff’s counsel, Beatrice Whitten, consents to the motion. *Id.*

By order of the court, this case is remanded to the Appeals Council. The Appeals Council will direct the Administrative Law Judge to further evaluate the evidence of record, including the severity of Plaintiff’s physical and mental impairments and residual functional capacity (RFC); to offer Plaintiff the opportunity for a new hearing; and to obtain vocational expert testimony on how Plaintiff’s limitations impact his ability to perform work; to take any action necessary to complete the administrative record; and to issue a new decision.

Pursuant to the power of this court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further administrative proceedings as set out above. *See Shalala v. Schaefer*, 509 U.S. 292 (1993). The Clerk of Court is directed to enter a separate judgment pursuant to the Fed. R. Civ. P. 58.

IT IS SO ORDERED.



March 30, 2018
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge